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# PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN

## Exploitation of child labour

## Report of the Secretary-General

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## I. INTRODUCTION

1. In its resolution 51/77 of 12 December 1996, the General Assembly called upon Governments to take legislative, administrative, social and educational measures to ensure the protection of children from economic exploitation, in particular the protection from performing any work that was likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. The Assembly also urged Governments to take all necessary measures, as a matter of priority, to eliminate all extreme forms of child labour, such as forced labour, bonded labour and other forms of slavery.

2. In paragraph 73 of the same resolution, the Assembly requested the Secretary-General to cooperate closely with relevant actors and United Nations organizations and bodies, in particular the International Labour Organization (ILO) and the United Nations Children's Fund (UNICEF), in order to provide information on initiatives aimed at eliminating exploitation of child labour and to recommend ways and means of improving cooperation at the national and international levels in this field.

3. The present report is submitted in pursuance of that request. It updates the information contained in the previous report of the Secretary-General (A/50/492).

## II. REVIEW OF THE PHENOMENON OF CHILD LABOUR

4. According to recent surveys carried out in several countries and statistics available to ILO, the number of working children, worldwide, aged between 5 and 14 years is 250 million, of which at least 120 million are working full time and are doing work that is hazardous and exploitative. Further, according to ILO estimates, Africa has the highest incidence of child workers (some 40 per cent). The figure for Asia and Latin America is about 20 per cent. In absolute figures, Asia has the largest number of child workers. About 61 per cent of the child labourers in the world are in Asia, while 32 per cent are in Africa and 7 per cent are in Latin America. It should, however, be recalled that, according to ILO, the extent of child labour in figures is hard to gauge, since the necessary statistics are not easily available.

5. According to ILO, child labour still exists in industrialized countries. In southern European countries a large number of children are found in paid employment, especially in activities of a seasonal nature, street trades, small workshops or in homework. The problem has increased in central and eastern European countries as a result of the difficulties faced by large sectors of the population owing to the transition from a centrally planned to a market economy. Another example given was the United States in which the number of children aged between 12 years to 17 years who work is estimated to be 5.5 million or 27 per cent of children in this age group.

6. Although most of the studies cover children above 10 years of age and most economically active children are in the 10 to 14 years group, many children are

put at work before that age. This is particularly so in rural areas where it is not unusual for a child to start working at the age of 5 or 6 years.

7. The most vulnerable child workers are those who are victims of slavery and forced labour. Child bonded labour is one of the most common forms of exploitation. Children work to pay off debts or other obligations incurred by their family even before the child was born. There are also other less formal types of child slavery and forced labour by which rural children are lured to the city with the false promises of work. Those children may be led into domestic service and sweatshops; they also may become victims of commercial sexual exploitation or be used in drug trafficking.

8. Child labour is also a serious problem because of the often irreparable damage it does to the child. The impact of child labour on the intellectual development of the child is serious. Although many children who work continue with their schooling, most of them do not go to school at all. Their physical and psychological development and their moral well-being are seriously compromised when they start working too young and are put at risk by the poor safety and health conditions in which they work. Child workers are also more vulnerable to extreme forms of violence and abuse.

9. Millions of working children are exposed to serious health and safety hazards, which may stem from the nature of the work or from poor working conditions. Because they are physically immature, children are more vulnerable to the effects of heavy work and exposure to dangerous work conditions. They are not physically suited to long hours of strenuous and monotonous work.

10. Although poverty is always cited as the most obvious reason for children to work, it is not the only reason or a justification. Employers employ children because they cost hardly anything in terms of wages, particularly in the case of small-scale, undeclared, financially precarious businesses. In domestic service, children often receive no more than board and lodging. With regard to children used for prostitution or pornography, the bulk of their earnings goes straight to those running the sex industry. In consequence, working children, if they are paid at all, receive substantially less than adults.

11. It is also often claimed that children are irreplaceable in certain export industries that would not be competitive if they were unable to use children. A study published by the ILO[1] concluded that children were not economically necessary for the industry to survive in the market.

12. A more credible advantage for the employers is that children are easier to control. They are less aware of their rights, less troublesome and more willing to accept orders and to do monotonous work. In peak periods, children are a readily available reserve, while in the slack periods they can be easily laid off.

13. Children subjected to the most intolerable forms of child labour generally come from population groups that are not only economically vulnerable, but also culturally and socially disadvantaged. According to UNICEF, children are also vulnerable because of traditional or societal attitudes that maintain that it is somehow "acceptable" for the children of the poor and the disadvantaged, ethnic

minorities or different castes to undertake hazardous and exploitative work. Cultural norms also differ in their definition of childhood and gender roles, which in some cases can lead to younger children or girls being more vulnerable to exploitation. The demand for child labour is also generated by quantitative and qualitative deficiencies in education systems. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO),[2] 145 million of the world's children aged 6 to 11 years are not in school. In many countries, poor families cannot afford to pay for their children's education. Many children live in communities where there are no schools and consequently they work. The quality of education provided in some cases offers so little prospect of social advancement that it simply does not convince parents of its value. Children who do not complete their primary education are likely to remain illiterate and never acquire the knowledge required to obtain skilled employments. Thus it appears that child labour is a self-perpetuating process.

## III. INSTRUMENTS AND MECHANISMS AIMED AT ELIMINATING THE PHENOMENON

### A. Relevant human rights mechanisms

14. The coming into force of the Convention on the Rights of the Child (General Assembly resolution 44/25, annex) constituted an important development in the struggle against child labour through the formal legal commitment undertaken by the quasi-totality of the world community (191 States parties) to protect and promote the rights of the child. The Convention represents the most comprehensive international instrument for the promotion and protection of the rights of the child, which, if effectively implemented, can significantly contribute to the elimination of child labour.

15. Among the rights spelled out in the Convention, there is a specific provision in article 32 by which States parties recognize and are to ensure, through legislative, administrative, social and educational measures, the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. While the main focus on the economic exploitation of children is to be found in the provisions of article 32, the issue of child labour should be considered in the wider framework of the Convention as a whole, and with due regard to relevant provisions of other international instruments.

16. The consideration by the Committee on the Rights of the Child of a number of initial reports submitted by Governments clearly illustrated the wide scope of child labour-related problems and justified the decision by the Committee to devote one day of general discussion (October 1993) to the topic of the economic exploitation of children, including child labour.

17. In the framework of its ongoing cooperation with United Nations and other bodies, the Committee held meetings at its fourteenth (January 1997) and fifteenth (May-June 1997) sessions with representatives of ILO, including the International Programme on the Elimination of Child Labour (ILO/IPEC), on ways of fostering existing cooperation and strengthening the protection of children

against economic exploitation, particularly through labour. During these meetings, the importance accorded by ILO to the activities of the Committee and, in particular, to the concluding observations adopted following its examination of States parties' reports was recalled. Committee members stressed the need to continue cooperating closely with ILO on the issue of the exploitation of children in hazardous work and activities.

18. The preliminary ILO report entitled "Child labour: targeting the intolerable", which deals with the preparation of a new instrument on the subject, and the related questionnaire on child labour were transmitted to the Committee in January 1997. In its comments transmitted in February 1997 to ILO, the Committee stated that the new instrument envisaged by ILO should contain a specific reference to the Convention on the Rights of the Child and to the Committee and should promote a holistic approach to the protection of children's rights. The Committee recalled that the most extreme forms of child labour had been identified and that the absolute prohibition of situations of servitude, including forced and compulsory labour, debt bondage, sale and trafficking of children, and activities using the child for punishable criminal purposes, including child prostitution and pornography or drug trafficking, had been called for. A reference was also made to all activities dangerous or harmful to the child's physical, mental and spiritual development or liable to jeopardize the future education and training of the child.

19. In its comments, the Committee suggested that the question of social reintegration of children victims of child labour should be considered in the new text, as should the issue of disadvantaged groups of children, including girls and children belonging to minorities or who are indigenous, in the spirit of the principle of non-discrimination as defined in article 2 of the Convention. Such preoccupations and recommendations are reflected in a number of concluding observations adopted by the Committee.

20. At the operational level, the Committee stated that the provisions of the Convention should be taken into account, in particular in assisting ILO/IPEC participating countries to follow up on the recommendations of the Committee. Furthermore, regular consultations are held between ILO and the Committee to continue strengthening such fruitful cooperation.

21. In the area of monitoring, the Committee stressed the importance of establishing a national mechanism, which would act as a focal point, gather information, coordinate policies, monitor progress and consider new strategies for the protection of children from economic exploitation. The adoption of national programmes of action to eliminate all extreme forms of child labour was an important step in this direction. Similar consideration could be given to the adoption of regional and subregional programmes.

## B. Other human rights mechanisms

22. The Special Rapporteur of the Commission on Human Rights on the Sale of Children, Child Prostitution and Child Pornography has contributed and continues to do so, through reports to the Commission and field missions to various

countries, to an increased awareness about problems concerning, inter alia, the exploitation of child labour (see A/52/482).

23. In 1992 and 1993 the Commission adopted two programmes of action on the sale of children, child prostitution and child pornography and for the elimination of the exploitation of child labour (see Commission resolutions 1992/74 and 1993/79), which constitute detailed sets of measures indicating the various approaches that Governments, United Nations bodies, specialized agencies and other competent bodies, including non-governmental organizations, should take to implement the rights of the child in relation to sale, sexual exploitation or child labour, allows the Office of the High Commissioner for Human Rights to invite States to report on the implementation of the programmes. Those reports should permit the identification of measures taken in order to implement the programmes as well as the difficulties the States are facing in establishing their policies and strategies.

24. The Working Group of the Commission on Human Rights on Contemporary Forms of Slavery, which monitors the slavery conventions, receives reports on legal standards, violations and remedial action from Governments, United Nations bodies, specialized agencies and other competent bodies in the field of all forms of exploitation (for the report of the Working Group, see E/CN.4/Sub.2/1997/13). It has noted that, although almost all States have enacted legislations aiming at combating child labour exploitation, the problem was the follow-up of the implementation of such laws. The Working Group had therefore, inter alia, encouraged States to make efforts in implementing and following up the implementation of these laws.

25. At its last session, the Working Group acknowledged that the fight against child labour called for medium- and long-term as well as short-term measures. While the ultimate goal was to eradicate child labour, it was still a long-term one. Therefore, although the Working Group encouraged all measures aimed at eliminating child labour, it was important to take into account that millions of children were still working as a matter of necessity. Practical experience established that it was not enough to "free" children from work; they had to be offered hope for the future, and their families had to be given the immediate means of survival. The Working Group therefore reiterated that in cases where children had no alternative but to work, such work should be done under the strictest possible conditions in order to protect children and promote their rights.

26. The Working Group, very much concerned at the exploitation of child labour, has included two closely related items in its agenda on child labour and bonded labour. The Working Group pays particular attention to all information on the issue and makes its recommendations to the Subcommission and the Commission on Human Rights. In the past few years, it has established a very fruitful dialogue with some of those States which face problematic situations despite their legislative efforts. In the light of some of the information given by various States, the Working Group appealed for the strengthening of international cooperation in combating child labour.

## C. Office of the High Commissioner for Human Rights

27. After extensive consultations with the Committee on the Rights of the Child, the High Commissioner, attaching great importance to the effective implementation of the rights of the child, has developed a plan of action to strengthen substantive support for the Committee's work and to provide whatever resources may be necessary for the implementation of its recommendations. The implementation of the plan of action calls for increased inter-agency and non-governmental organization coordination. Under the plan of action new measures have been taken for its implementation. The High Commissioner has also acted to improve the protection and promotion of children's rights through increased inter-agency coordination and cooperation and to strengthen the support being given to the work of the Committee, it is important to take pragmatic steps for effective cooperation.

## D. International Labour Organization

### 1. Relevant labour instruments

28. ILO has adopted various standards in the area of child labour, including, in particular, the Forced Labour Convention, 1930 (No. 29), which prohibits forced labour in most of its forms, and the Minimum Age Convention 1973 (No. 138), which is designed to prevent the exploitation of child labour and sets the minimum age for work at not less than the age of completion of compulsory schooling and in any case not less than 15 years (14 years for developing countries) and for work likely to harm health, safety or morals, at no less than 18 years. Convention No. 138 has been one of the fundamental elements of a coherent national strategy against child labour. The Copenhagen Declaration on Social Development,[3] adopted at the World Summit for Social Development in March 1995, includes Convention No. 138 in the group of ILO conventions judged essential for the defence of workers' basic rights and interests.

29. As at August 1997, 53 countries have ratified Convention No. 138. This number of ratification is comparatively lower than other ILO conventions that are considered fundamental from the human rights perspective: those concerning forced labour, freedom of association and non-discrimination. ILO considers, however, that some progress is being made. In that regard, the results of recent consultations between ILO and Governments on the possibility of ratifying core ILO conventions have shown that the ratification procedure in the case of Convention No. 138 has been initiated in 19 countries, and in another 14 countries Governments are giving serious consideration to the possibility of ratifying it. ILO has provided, and intends to increase the provision of, technical advice to Governments to bolster understanding of the Convention's provisions and the flexibility clauses it contains.

30. Recognizing the need for priority action for the immediate eradication of the worst forms of child labour, the Office for discussion at the Informal Tripartite Meeting at the Ministerial Level on 12 June 1996 has suggested that the ILO Governing Body include an item on child labour in the agenda of the 1998 session of the International Labour Conference with a view to adopting a new

international convention on child labour. The objective is to strengthen the arsenal of ILO standards with a binding instrument geared to banning the most intolerable forms of child labour. The Office is of the view that a new convention of this kind would have a good chance of being ratified by a very large number of both industrialized and developing countries, and that it would also strengthen the authority of ILO in the worldwide fight against child labour, provide clear guidelines for technical cooperation and energize national and international action against this scourge. In that regard, the Commission on Human Rights, in its resolution 1997/78, called upon all States, inter alia, to translate into concrete action their commitment to the progressive and effective elimination of all forms of exploitative labour, starting with its most intolerable forms, and to implement, inter alia, national action plans, the resolution on the elimination of child labour adopted by the International Labour Conference at its eighty-third session in 1996 and other relevant resolutions adopted by the General Assembly and the Commission on Human Rights and also to support the proposed drafting by the ILO of an instrument aimed at eradicating the most intolerable forms of child labour.

31. In preparation for the adoption of the Convention, a law and practice report, "Child labour: targeting the intolerable", was prepared in November 1996. This report draws on ILO experience in action against child labour, including the experience gained through the ILO/IPEC. It chronicles the exploitation of child labour, surveys international and national law and practice, and points the way towards effective practical action to remove children from debt bondage, prostitution and hazardous occupation and activities. The report was distributed to Governments and to workers' and employers' organizations. In addition, through the national and international media, the public has been informed about intolerable forms of child labour and the proposed action.

32. As of today, it is only possible to describe what might be contained in new instruments. The proposed convention and recommendation are intended to reinforce current international legal instruments that deal with children and their rights by setting clear priorities for action. The primary objective of the proposed convention is to address those situations in which children are most vulnerable. To attain this objective, the proposed convention could call upon each ratifying member to suppress immediately all extreme forms of child labour, including:

(a) All forms of slavery or practices similar to slavery, the sale and trafficking of children, and forced and compulsory labour, including debt bondage and serfdom;

(b) The use, engagement or offering of a child for prostitution, the production of pornography or pornographic performances, and the production of or trafficking in drugs or other illegal activities;

(c) The use or engagement of children in any type of work that, by its nature or the circumstances in which it is carried out, is likely to jeopardize their health, safety, or morals.

33. The proposed instruments could apply to all children under the age of 18 years and the proposed recommendation could address special protection of very young boys and girls. The proposed convention would stress the need for inter-agency cooperation and coordination in dealing with child labour, particularly the most extreme forms of child labour, and refer to the activities carried out by the organs and specialized agencies of the United Nations and other intergovernmental organizations, such as those concerned with offences against children. In addition, the proposed convention could call upon States to cooperate with one another through international legal and technical assistance and could include enforcement measures to be taken to give effect to the provisions of the Convention.

34. The new instruments would not duplicate existing standards but would add specificity and focus on the worst forms and most hazardous types of child labour. This focus would enable more direct and effective action against the most exploitative and dangerous types of child labour. The proposed new standards are not intended to replace the provisions of the ILO Minimum Age Convention No. 138, but would be designed to contribute to the ultimate objective of Convention No. 138, which is the total abolition of child labour. Convention No. 138 would remain one of the pillars of a coherent strategy in the fight against child labour at the national level.

## 2. Technical cooperation

35. ILO also assists its member States in the field of child labour through the collection and dissemination of information in a systematic manner on what is being done to reduce the extent of child labour or to improve the conditions in which children work. Another means is action-oriented research. ILO has felt it essential to strengthen the complementarity between research and technical cooperation by regularly providing ideas required for the technical cooperation projects under ILO/IPEC.

36. The role of technical cooperation is to bring national law and practice more in line with the models proposed by international labour standards. In the case of child labour, the proposed model is its total and effective abolition. Consequently, direct assistance provided by ILO to member States must ensure that a real step is taken towards the abolition of child labour and, especially, that its most intolerable forms are no longer tolerated. The pragmatic approach adopted by ILO/IPEC consists of endeavouring to put an end to forms of child labour that are manifestly harmful to them. ILO/IPEC is now providing technical support to approximately 40 countries in Africa, Asia, Europe, Latin America and the Middle East. Twenty-nine countries have signed a Memorandum of Understanding with ILO to implement a national programme of action against child labour with the technical support of ILO/IPEC.

37. ILO/IPEC stresses "broad-based in-country ownership" of the programme, which is assured by the signing of the memorandum between the Government and ILO. The institutional mechanism provided for in the memorandum is the National Steering Committee, consisting of representatives of key ministries, employers' and workers' organizations, and NGOs with expertise on children's rights issues. ILO/IPEC makes a long-term commitment to countries, assisting them in moving

towards reform and change in social attitudes and in public and corporate policies that will lead to sustainable prevention and abolition of child labour from within a given country. Thus ILO/IPEC strives to:

(a) Support national efforts to combat child labour and to build up a permanent capacity to tackle the problem;

(b) Give priority to the eradication of the most hazardous and exploitative types of child labour;

(c) Emphasize preventive measures;

(d) Build in sustainability from the start.

38. Given the enormity and the complexity of the child labour issue it is unrealistic to believe that this problem can be eradicated overnight. While the achievement of this ultimate goal is being pursued, ILO/IPEC places priority on halting the most intolerable forms of child labour. The priority target groups include children working under forced labour conditions and in bondage, children in hazardous working conditions and occupations, children who are particularly vulnerable, i.e. very young working children (under 12 years of age), and working girls.

39. In cooperation with UNESCO, UNICEF and Education International, IPEC has produced a global report presenting the existing experiences and scope for future action in education on the basis of action research conducted in 11 countries during 1995-1996. A child labour information kit for teachers has been developed as a tool for action by educators, teachers and their organizations in collaboration with other actors, i.e. non-governmental organizations, workers' and employers' organizations.

40. At national level, a national task force on education and child labour will be set up in order to identify strategies for implementation, select partners' organizations, monitor progress and facilitate the sharing of in-country experience among key partners. The task force will coordinate its operation with the ILO/IPEC national steering committee and other national coordinating mechanisms working on children's rights and welfare.

## E. United Nations Children's Fund

41. UNICEF works to raise awareness of the many detrimental aspects of labour on the child's harmonious and full development and to prevent this serious violation of children's rights. This concern led UNICEF to dedicate the 1997 State of the World's Children Report to the issue of child labour. In this report, it emphasizes three root causes: the exploitation of poverty, the impact of traditional expectations and the lack of access to education.

42. With the best interests of the child as a guiding principle, UNICEF has developed and will continue to explore a range of responses to end child labour, a complex problem that requires comprehensive solutions and must involve the widest possible range of partners in each society. Strategies will vary from

country to country, addressing a wide manifestation of the problem - from preventative to rehabilitative strategies. The speed at which results are achieved may also vary, but the means used must not in any way undermine the principles and standards of the Convention or its call for the effective respect of the human dignity of the child.

43. In the report, UNICEF outlined six specific steps that require urgent attention.

(a) Immediate elimination of hazardous and exploitative child labour;

(b) The provision of free and compulsory primary education;

(c) Need for child labour and education laws to be consistent, enforced and implemented in conformity with international conventions and to encompass children working in the informal sector;

(d) Need for children to be registered at birth so that they can exercise - and be protected in the enjoyment of - their right to education, health and welfare, as well as providing them with proof of age;

(e) Need for national and international data collection systems to be developed, which gather and analyse globally comparable date - including data on children working in the informal sector. These efforts should include monitoring by communities and the active participation of children in assessing their situation and proposing ways to improve their conditions;

(f) In reaffirming the commitment of UNICEF to its own procurement policy, national and international corporations are urged to adopt codes of conduct guaranteeing that neither they or their subcontractors employ children in conditions that violate the rights of the child.

44. According to UNICEF, it becomes decisively important in the legal area to establish a clear minimum age for admission to employment. In light of ILO Convention No. 138, with the exception of light work, such an age should not be lower than 15, or in special cases where the economy and educational facilities are insufficiently developed, less than 14 years. In the light of the Convention on the Rights of the Child, there are situations where children may perform licit work, both because the minimum age has been respected and because the activity is not detrimental to the education, health and development of the child. But in those cases, the law is required to regulate clearly the duration and the conditions of employment, both to protect the child and to prevent any form of abuse. Laws and the subsequent changing of attitudes are more successfully implemented when backed by an independent and effective inspectorate. Moreover, birth registration is of critical importance. It constitutes an important tool to monitor the real situation of children, to ensure their participation in school, in vocational education and training, to prevent their access or recruitment into illicit work and to protect their working conditions in the specific cases of lawful employment. UNICEF has undertaken a number of initiatives to support birth registration.

45. The report was one avenue used by UNICEF to raise awareness of the issue of child labour. Campaigns must be directed to change the attitude of apathy and indifference of public opinion, to break the silence that surrounds situations of illicit and clandestine child labour and to promote effective action towards the elimination of all forms of exploitation of children.

46. The UNICEF regional and country offices and its International Child Development Centre in Florence have produced several publications on the importance of education, legislation and the harmful effects of child labour. UNICEF has organized several regional consultations, which have brought together United Nations agencies, NGOs and government counterparts concerned about child labour.

47. Several UNICEF offices collaborate closely with NGOs to distribute information to parents and communities about child labour - including bonded labour. UNICEF has produced video documentaries that have been used by news and public affairs programmes. In addition, school educational material exists in several languages, and child labour is one of the major areas addressed on the UNICEF website and in the child-run website "Voices of Youth".

48. In the view of UNICEF, the private sector must also be a part of the solution. Insistent public pressure can be a powerful catalyst for positive social change. In response to growing public concern over the worst abuses of child labour, a number of public-minded enterprises have seized the initiative to show that the relationship between the private sector and activists fighting child labour need not be adversarial - that constructive cooperation, even partnership, can sometimes serve the best interests' of children involved in labour. Raising standards of employment and working conditions also serves to create a more efficient, stable and better-trained workforce.

49. In June 1995 UNICEF instituted a child labour procurement policy. This policy stipulates that all manufacturers and producers must guarantee that supplies procured by UNICEF are not made using child labour. This condition is clearly set forth in all UNICEF procurement contracts. Spot checks occur and where problems with compliance have been identified, UNICEF has raised these concerns with the factories involved. If problems continue it will immediately act to discontinue the contract.

50. In all regions, UNICEF collaborates closely with governments, and United Nations agencies - particularly ILO, and with NGOs, and in a growing number of cases interacts closely with the working children themselves. An example of international cooperation and inter-agency collaboration is the preparatory process to the Oslo Conference on Child Labour. UNICEF, joined by ILO and the Norwegian Government in planning and organizing this conference, is conducting regional consultations and in some cases country-level consultations, is preparing documentary and news item video material and is contributing to conference background papers. It is very much the desire of UNICEF that this close collaboration continue and be evident in the implementation of the agenda for action of the Oslo Conference. Such collaboration must also be evident - not just at the global level - but at all levels, particularly at the national level. The Memorandum of Understanding signed by UNICEF, the Bangladesh Garment

Manufacturers and Exporters Association and the ILO offices in Bangladesh is a remarkable example of what can be achieved through collaborative efforts.

51. In addition, UNICEF supports the call made by the Committee on the Rights of the Child for the establishment of a policy coordination and monitoring mechanism at the national level - with specific competence in the area of the protection of children from economic exploitation. Such a mechanism should be responsible for data collection, the systematic and accurate assessment of the situation of children, development and coordination of comprehensive strategies, suggesting legislative amendments were necessary and ensuring that policy implementation and enforcement measures are effective. The national mechanism should also act as a focal point for the work of NGOs, including workers' and employers' organizations, whose cooperation should be encouraged. Work should also be undertaken at the national level to ensure that strategic use is made of the mass communication channels - critical to the spreading of ideas and the creation of new social norms conducive to respect for human rights.

## F. Other international instruments and initiatives

52. Mention should be made of the provisions of article 10 (3) of the International Covenant on Economic, Social and Cultural Rights, article 8 of the International Covenant on Civil and Political Rights, the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, adopted in 1949, and the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. The Vienna Declaration and Plan of Action[4] (1993) also contain a number of references to issues relating to children's rights particularly as regards action to be taken to combat exploitative child labour.

53. The World Congress Against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996, firmly condemned the use and abuse of children, who are commonly treated as a cheap labour force and for the worse as a commercial object. As stated in the Stockholm Declaration (see A/51/385, annex), in cases of commercial sexual exploitation of children, the child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

54. In 1997, many regional conferences and meetings on the exploitation of child labour were held. These include the Amsterdam Child Labour Conference, which was held in February, the Arusha Child Labour Conference organized by the Organization of African Unity in April, the Cartagena de Indias Conference organized in May and the forthcoming Oslo Conference in October. These conferences have brought about a worldwide awareness concerning child labour; the promotion of the application of various international instruments such as, the Convention on the Rights of the Child, the Minimum Age Convention No. 138 as well as the preparation of the proposed ILO convention against the most intolerable forms of child labour; and the mobilization of national action and international support for the implementation of the time-bound programmes of action against child labour in collaboration with ILO-IPEC and other agencies.

## IV. IMPROVEMENT OF COOPERATION AT THE NATIONAL AND INTERNATIONAL LEVELS

55. Many initiatives have been taken for the long-term goal, which is the elimination of child labour. Action against child labour at the national and international levels, guided by international standards such as the Convention on the Rights of the Child and the ILO conventions, is emerging. However and in order to achieve the short-term goal, the total and immediate elimination of the most intolerable forms of child labour, other steps have to be taken.

### A. Recommendations at the national level

56. At the national level, the basic legislative framework for addressing child labour issues already exists in most countries. The very complexity of the problem requires clear political commitment, willingness and ability to take measures necessary for a dramatic reduction and the eventual elimination of the incidence of exploitative child labour. The holistic perspective of the Convention on the Rights of the Child offers the framework for focusing more closely on preventive measures to address the problem and to insist that greater resources be diverted towards such preventive measures, particularly in times of economic recession when basic human needs and social priority budgets come under more severe pressure.

57. It is clear that none of the actors in the fight against child labour is able to solve it alone and that the fight concerns everyone. Although non-governmental organizations have taken many initiatives, sometimes with the support of municipal authorities, the number of child workers they have reached represents an infinitesimal share of those needing protection.

58. While working on the elimination of forced and hazardous child labour in specific sectors, all actors must ensure that their action does not drive the children underground or lead to the resurgence of child labour in other sectors, which are just as - or even more hazardous than - the hazardous conditions from which the children have been withdrawn. The withdrawal of children from hazardous work must be combined with the provision of a sound rehabilitation programme.

#### 1. Long-term recommendations

59. On the basis of recommendations made by the Committee on the Rights of the Child, States should establish a national mechanism for coordinating policies with regard to protection from economic exploitation, in order to ensure a global and multidisciplinary approach in this area. The mechanism should ensure:

(a) The launching of wide information campaigns addressed to children, the public in general, and the training of special professional groups;

(b) The recognition of education as an essential preventive measure to counter situations of economic exploitation of children through making primary

education compulsory and free for all children and using the Convention as an incentive to encourage the participation of children in school and social life. States need to make a major effort to develop an integrated policy and action for the provision of quality education that is relevant, accessible and free for all children. Child labour concerns should be explicitly addressed and integrated into such a policy and programme of action. Transitional education has to be provided to those who are already in the workplace in order to wean them from hazardous work and equip them with practical knowledge and skills. It should consist of an integrated package of general education, life skills and practical skills training, and should aim at mainstreaming them into formal education and vocational training systems. However, options also have to be provided to older children and youths who are not able to continue formal education and training so that they do not re-enter the labour market as unskilled workers;

(c) The protection of children against economic exploitation through strictly forbidding a number of particularly harmful activities, formulating standards or revising existing legislation in order to ensure the legal protection of the child from any form of exploitation;

(d) The adoption of measures designed to ensure the rehabilitation of children who, as a result of economic exploitation, are exposed to serious physical and moral danger;

(e) The stimulation of data collecting and research on the issue;

(f) The encouragement to Governments to rethink national development priorities and envisage global strategies for the effective enjoyment by children of all their rights.

60. The fight against child labour can be carried out through ministries such as the ministries for education, health, family, public information, economic and social development planning. Furthermore, initiatives should not be limited to government institutions at the central state level, but should closely involve the municipal level. Employers' and workers' organizations also have an essential role to play (in that regard, Governments should also cooperate with trade unions and employers' organizations to address the problem of child labour), as do other NGOs, the media, universities, members of parliament and teachers. All groups of society have to be involved in the fight against child labour.

61. Governments, in cooperation with different actors, could create pilot projects geared to withdrawing children from particularly harmful work situations, first by providing them with the essential services they need such as shelter, food and health care, then by offering them viable alternatives, to help them to go to school, apprenticeship services and pre-vocational training, or another remunerated activity in a sheltered workshop. Then, the results of these projects should be evaluated.

62. Adequate training should be provided to the staff involved in combating exploitation of child labour, employees of ministries and municipalities, labour

inspectors, trade unionists, representatives of employers' organizations and NGO workers.

### 2. Urgent action

63. Governments should be encouraged to implement a time-bound programme of action against child labour using a multi-pronged approach: address the causes of poverty, provide relevant, universal, compulsory education, strengthen law enforcement and conduct extensive public awareness campaigns on children's rights and child labour. The programme of action could be implemented by a broad social alliance, headed by governments and involving all key actors: government ministries, educational institutions, workers' and employers' organizations, NGOs, the media and the public as a whole.

64. The national policy against child labour should give priority in the first instance to abolishing the worst and most intolerable forms of child labour. Special attention should be devoted to children subject to greater exploitation and abuse, including very young children and girls, particularly. Further, the capacity of mechanisms already established at the national level by ILO-IPEC, UNICEF and other institutions and organizations should be strengthened.

65. The sharing of experience by and among countries that have already implemented programmes of action against child labour should be reinforced in order to encourage and motivate other countries.

## B. Recommendations at the international level

66. The worldwide campaigns against child labour should be translated into supportive action through international cooperation. It is important to recognize that child labour cannot be solved without efforts to attack poverty itself. Trade unions and employers' organizations at the local, national and international levels should utilize the existing structures of ILO that deal with violations of the relevant conventions concerning forced, bonded and child labour. Concerned NGOs should strengthen their activities for disseminating information and advising trade unions in this regard.

67. With regard to technical cooperation projects provided to countries, improved coordination between the Office of the High Commissioner, the Committee on the Rights of the Child and the ILO/IPEC projects should be established in order to define priorities. ILO/IPEC, by supporting national efforts to combat child labour, should continue to assist States to build sustainability into all demonstration programmes from the start and assess their potential for integrating them into regular programmes of the partner organizations.

68. Finally, not one of the actors in the fight against child labour can undertake these steps alone. Success will depend on the concerted mobilization of all concerned groups of society, activated in the context of truly global movement committing themselves to children's rights and providing each other with moral support and technical cooperation.

## Notes

[1] R. Anker, S. Ashraf, S. Barge and D. Levison. Is child labour really necessary in India's carpet industry?, Geneva, ILO, 1996.

[2] UNESCO, World Education Report 1995, Paris.

[3] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. 96.IV.8), chap. I, resolution 1, annex I.

[4] A/CONF.157/24 (Part I), chap. III.

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